

Introduced by Senator Calderon

February 19, 2010

An act to add Section 2885.7 to the Public Utilities Code, relating to telecommunications.

LEGISLATIVE COUNSEL'S DIGEST

SB 1235, as introduced, Calderon. Telecommunications: mobile telephony service.

Under existing law, the Federal Communications Commission licenses and partially regulates providers of commercial mobile radio service, including providers of cellular radiotelephone service (cellular), broadband Personal Communications Services (PCS), and digital Specialized Mobile Radio (SMR) services (collectively, mobile telephony service providers). Under existing law, no state or local government may regulate the entry of, or the rates charged by, any commercial mobile radio service, but a state or local government is generally not prohibited from regulating the other terms and conditions of commercial mobile radio service. Existing law requires mobile telephony service providers to provide certain customer and subscriber services.

This bill would state the intent of the Legislature to enact legislation to require a provider of mobile telephony services, as defined, to provide sufficient prior notification to a customer before money is deducted from the customer's bank account for services not provided for in the contract for mobile telephony services. The bill would also state the intent of the Legislature to enact legislation to require such a provider, if there is a billing dispute settled in the customer's favor, and the disputed sum has already been deducted from the customer's bank

account, to offer the customer the option to elect either reimbursement of funds or future credit applied to the customer's service account.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 2885.7 is added to the Public Utilities
- 2 Code, to read:
- 3 2885.7. It is the intent of the Legislature to enact legislation
- 4 that will do both of the following:
- 5 (a) Require a provider of mobile telephony services, as defined
- 6 in Section 224.4, to provide sufficient prior notification to a
- 7 customer before money is deducted from the customer's bank
- 8 account for services not provided for in the contract for mobile
- 9 telephony services.
- 10 (b) Require a provider specified in subdivision (a), if there is a
- 11 billing dispute settled in the customer's favor, and the disputed
- 12 sum has already been deducted from the customer's bank account,
- 13 to offer the customer the option to elect either reimbursement of
- 14 funds or future credit applied to the customer's service account.